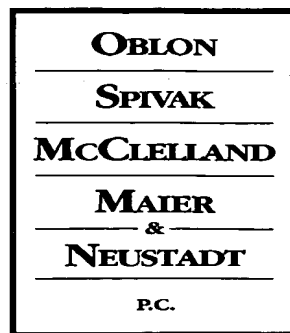


Docket No.: 242326US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 10/660,571
Applicants: Yuusuke NOGUCHI, et al.
Filing Date: September 12, 2003
For: DESKTOP COLOR IMAGE FORMING APPARATUS
AND METHOD OF MAKING THE SAME
Group Art Unit: 2852
Examiner: TRAN, Hoan H.

SIR:

Attached hereto for filing are the following papers:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Gregory J. Maier

Registration No. 25,599

Customer Number

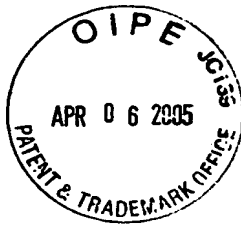
22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

Philip J. Hoffmann
Registration No. 46,340

Paul Sacher
Registration No. 43,418

1940 DUKE STREET ALEXANDRIA, VIRGINIA 22314 U.S.A.
TELEPHONE: 703-413-3000 FACSIMILE: 703-413-2220 WWW.OBLON.COM



DOCKET NO: 242326US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
YUUSUKE NOGUCHI ET AL. : EXAMINER: TRAN, HOAN H.
SERIAL NO: 10/660,571 :
FILED: SEPTEMBER 12, 2003 : GROUP ART UNIT: 2852
FOR: DESKTOP COLOR IMAGE FORMING APPARATUS AND METHOD OF
MAKING THE SAME

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

The Examiner's Statement of Reasons for Allowance included at pages 2 and 3 of the Notice of Allowance mailed January 11, 2005, characterizes the invention is terms of "a color image forming apparatus having the intermediate transfer member arranged with a predetermined angle relative to the horizontal line such that a rear side of the intermediate transfer member away from the recording sheet is lifted and a front side of the intermediate transfer member closer to the recording sheet is lowered; and a plurality of the image creating mechanisms are aligned in parallel and are arranged along and parallel to the image transfer bed of the intermediate transfer member such that one of the plurality of image creating mechanisms firstly forming an image faces the rear side of the image transfer bed and another one of the plurality of image creating mechanisms lastly forming an image faces the front side of the image transfer bed." Applicants respectfully assert, however, that independent Claim 17 does not recite "the intermediate transfer member" and "a plurality of the image creating mechanisms," and independent Claim 55 does not recite "the intermediate transfer

member arranged with a predetermined angle relative to the horizontal line such that a rear side of the intermediate transfer member away from the recording sheet is lifted and a front side of the intermediate transfer member closer to the recording sheet is lowered” and “a plurality of the image creating mechanisms are aligned in parallel and are arranged along and parallel to the image transfer bed of the intermediate transfer member such that one of the plurality of image creating mechanisms firstly forming an image faces the rear side of the image transfer bed and another one of the plurality of image creating mechanisms lastly forming an image faces the front side of the image transfer bed.” Thus, Applicants respectfully assert that the statement mischaracterizes the invention in unduly narrow terms that are not consistent with the actual claim language.

For the above reasons, Applicants respectfully assert that the statement is understood not to apply to independent Claims 17 and 55, as well as the claims depending therefrom.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599

Philip J. Hoffmann
Registration No. 46,340

Customer Number

22850

Tel: (703) 413-3000

Fax: (703) 413 -2220

(OSMMN 06/04)

Paul Sacher
Registration No. 43,418